

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE CERTIFICATION OF :

BETTY M. COLLADO, C.H.H.A. : ADMINISTRATIVE ACTION
Certificate No. 26NH08299000 :

:
FINAL ORDER OF

:
DISCIPLINE

TO PRACTICE AS A HOMEMAKER HEALTH :
AIDE IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Betty M Collado ("Respondent") is a certified homemaker-home health aide in the State of New Jersey, certificate number 26NH08299000 and has been certified at all times relevant hereto.

2. Upon receipt of a flagging notice advising that Respondent was arrested on July 30, 2012 by the Woodbridge Police Department for violating N.J.S.A. 2C:20-11, Shoplifting, the

Board sent a letter of inquiry requesting certain information and the submission of documents to Respondent's address of record in Elizabeth, New Jersey via regular and certified mail, on or about August 8, 2012. A response was due within twenty (20) days. The regular mail was not returned; the certified mail receipt was signed "Betty Collado" and returned to the Board.

3. As of the date of filing the Provisional Order of Discipline, Respondent had not provided a response to the Board's requests for information and documentation.

CONCLUSIONS OF LAW

Respondent's failure to fully and timely respond to the Board's requests for information and documentation constitutes a failure to cooperate with a Board investigation in contravention of N.J.A.C. 13:45C-1.2(a). Pursuant to N.J.A.C. 13:45C-1.2(b), N.J.A.C. 13:45C-1.3(a)(2), and N.J.A.C. 13:45C-1.3(a)(5) the Board considers Respondent's failure to cooperate to be professional misconduct within the meaning of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-25, and N.J.S.A. 45:1-22.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the suspension of Respondent's certification to practice as a home health aide in the State of New Jersey and a fine of two-hundred dollars

(\$200.00) was entered on November 28, 2012. A copy was forwarded to Respondent's last known address by means of both regular and certified mail. The regular mailing was not returned, and the certified mail was delivered. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

On or about December 6, 2012, Respondent visited the Board's office and provided a copy of a Certified Disposition from the Municipal Court of Woodbridge, which detailed Respondent's plea, her conviction on the amended charge of N.J.S.A. 2C:33-2A(1), Improper Behavior/Disorderly Conduct, and the court's assessment of fines and costs. The Certified Disposition also indicated that all fines had been paid in full.

However, her response did not contain sufficient information; Respondent did not provide the Board with any other requested information, such as a copy of the police report or the summons/complaint, her current employment information along with her most recent performance evaluation, or a narrative of her

version of the conduct which gave rise to the arrest. Moreover, as a certificate holder, Respondent is responsible for ensuring that all Board inquiries are answered in a timely fashion.

The Board considered this matter and determined that Respondent's response was incomplete and received only after the Board contemplated taking disciplinary action against her license. For this reason, it is warranted that the civil penalty of \$200.00 and suspension of Respondent's license still be imposed.

ACCORDINGLY, IT IS on this 4 day of November, 2013,

ORDERED that:

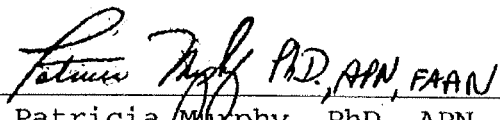
1. Respondent's certification to practice as a home health aid is suspended until Respondent fully cooperates with the Board's investigation by providing the Board with the information and documentation requested in the Board's letters of inquiry.

2. Respondent shall remit payment of a monetary penalty, pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order, payable to the State of New Jersey, delivered to George Herbert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, NJ 07101. Payment shall be made no later than fifteen (15) days after notice of the entry of this Final Order is served in this matter, including an Order which is finalized by default. In the event Respondent fails to

make a timely payment, a certification of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Nothing herein precludes the Board from taking action on the underlying conduct that was originally the subject of inquiry in this matter.

NEW JERSEY STATE BOARD OF NURSING

By:  PD, APN, FAAN
Patricia Murphy, PhD, APN
Board President